IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2234 OF 2005

Tops Security Ltd. & Anr. ...Petitioners
vs.
State of Maharashtra & Ors. ...Respondents

Mr.C.U.Singh i/b M/s.D.H.Law Associates for the petitioners
Ms Lata Desai for the respondents

CORAM: SMT.RANJANA DESAI & A.S.OKA,JJ.
DATE : DECEMBER 13,2005

P.C.:

. Mentioned. Not on board.

1. Rule. By consent of the parties taken up for hearing forthwith.

2. We have heard the learned counsel for the parties. The basic grievance of the petitioners appears to be that Exh.I to the petition which is the order dated 4th October 2004 passed by the Secretary to the Security Guards Board for Brihan Mumbai (the Board for short) under Section 14 of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, is not a reasoned order. Our attention is invited to the order dated 26th April 2005 passed by the Division Bench of this Court in Writ Petition No.2946 of 2004. Placing reliance on the judgment of the Supreme Court in Mohinderingh Gill Vs. Chief Election Commissioner, New Delhi, AIR 1978 SC 851 this court held that the order must

speak for itself and it cannot be supplemented by reasons disclosed on affidavit in this court. In that case this Court set aside the order impugned therein and remanded the matter to the Board to decide it afresh after considering the representation made by the petitioners therein.

3. In our opinion, since we are concerned with the similar contentions and the impugned order also lacks reasons, we will have to follow the judgment dated 26th April 2005 passed in Writ Petition No.2946 of 2004.

4. Hence we pass the following order :

. Impugned order dated 4th October 2004 is set aside and the matter is remanded to respondent 2 to decide afresh after giving opportunity of hearing to the petitioners.

. Rule is made absolute in above terms.

. Parties to act upon an authenticated copy of this order.

(SMT.RANJANA DESAI,J.)

(ABHAY S.OKA,J.)